

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Raymond L. Semler,

Civ. No. 24-1850 (JWB/TNL)

Plaintiff,

v.

Nancy Johnston, *CEO Minnesota Sex  
Offender Program*; Brian Ninneman,  
*MSOP – Moose Lake Complex 1A-Unit  
Director*; and Marc Zika, *Group Supervisor  
– MSOP – St. Peter, sued in their  
individual and official capacities*,

**ORDER ACCEPTING  
REPORT AND RECOMMENDATION  
OF MAGISTRATE JUDGE**

Defendants.

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United States Magistrate Judge Tony N. Leung issued a Report and Recommendation (“R&R”) on May 29, 2024. (Doc. No. 6.) No objections have been filed to that R&R in the time permitted. Absent timely objections, the R&R is reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Having reviewed the R&R, no clear error is found.

Based on the R&R of the Magistrate Judge, and on all the files, records, and proceedings in this case, **IT IS HEREBY ORDERED** that:

1. The May 29, 2023 Report and Recommendation (Doc. No. 6) is **ACCEPTED**;
2. Plaintiff Raymond L. Semler’s Complaint (Doc. No. 1) is **DISMISSED WITHOUT PREJUDICE** for failure to state a claim;
3. Plaintiff’s requests for injunctive and declarative relief (Doc. No. 1) are

**DENIED AS MOOT;** and

4. Plaintiff's application to proceed *in forma pauperis* (Doc. No. 2) is

**DENIED AS MOOT.**

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Date: July 9, 2024

s/ Jerry W. Blackwell  
JERRY W. BLACKWELL  
United States District Judge